9-30 A.M.

Sri A. V. NARASIMHA REDDY.—Yesterday, to one of my interpellations, the Chief Minister was pleased to promise that he would place a copy of his letter to the States Reorganisation Commission on the Table of this House. Has the copy been placed on the Table of the House, Sir?

Sri K. HANUMANTHAIYA.—What I said was I will consider it. It would not be correct to say that I promised.

Sri A. V. NARASIMHA REDDY.—This letter is a document of public importance. I request the Chief Minister to place it on the Table of the House.

Mr. SPEAKER.—He said that he would consider it.

ADJOURNMENT MOTIONS

Re. Fast undertaken by Sri Hanumanthe Gowda of Pandavapura.

Mr. SPEAKER.—Sri Gopala Gowda has tabled an adjournment motion. It will be taken up for discussion on its admissibility on Monday.

Sri Mulka GOVINDA REDDY (Chitaldrug).—What is the subject matter of the adjournment motion?

Mr. SPEAKER.—The adjournment motion reads as follows:—

> "That the House do now adjourn to discuss the situation arising out of the fast undertaken by Sri T. Hanumanthe Gowda of Pandavapura since Thursday, the 13th October 1955 at the Jubilee Road Circle (near the Assembly Hall), Mysore, against the high handed and arbitrary action of Sri H. M. Channabasappa, the Industries Minister, in taking away the licence granted by the Central Government to the Pandavapura Multi-purpose Co-operative Society to start a Sugar Factory at Pandavapura."

Sri Mulka GOVINDA REDDY (Chitaldrug).—I am not questioning the ruling of the Chair, Sir. In view of the urgency, is it not necessary that it should be taken today?

Mr. SPEAKER.—I will give my ruling. It has been given so many times on similar occasions. I wanted to give an opportunity to members to discuss on the admissibility of this issue. . . .

Sri Mulka GOVINDA REDDY.—Whether the adjournment motion is admissible or not—please allow the members to discuss and then the Chair can give its ruling.

Mr. SPEAKER.—Many times previously the Chair has given its rulings on such adjournment motions. I request the Hon'ble Members to go through those rulings. My ruling on this adjournment motion is: As Hon'ble Members are aware, the subject of fasts undertaken for whatever reason has been sought to be raised on an adjournment motion in the past in our Legislature and it has been uniformly held, following similar rulings in all other Legislatures, that it would not form a proper subject of an adjournment motion. The persons concerned have remedies under the ordinary process of law. I therefore hold that the motion is not in order.

Re. Ministers' Statement on States Reorganisation Commission Report.

Mr. SPEAKER.—Now, the question of the admissibility of the adjournment motion tabled by Sri Imam may be taken up. I request the Hon'ble Member to be brief. We are only discussing the question of admissibility. As far as possible, I request the Hon'ble Member to avoid discussion on the merits of the issue.

*Sri J. MOHAMED IMAM (Jagalur).—Sir, I am perfectly aware that we ought not to enter into the merits of the case. But I must relate to the Chair and to this House, the circumstances under which this motion has to be admitted. Sir, if I remember correctly, this is the first time that such a situation, the situation where the Ministers have thought it fit to

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es that the speeches have not been revised by the Member concerned.

defy openly their chief, has arisen. We are in an age of democracy and democracy is still in its infancy. It is left to us to see that all democratic principles are strictly adhered to and that we establish healthy conventions. You can be perfectly rest assured that I will not enter into the merits of the Report of the States Reorganisation Commission nor will I enter into the merits of the statement issued by my three musketeers, the Ministers. . . .

Sri Kadidal MANJAPPA (Minister for Revenue and Public Works).—Musketeers ! I take objection to, Sir.

(Laughter)

Sri J. MOHAMED IMAM.—Three ministers. I will not enter into the merits of the statement issued by my three friends who have thought it fit to throw darts. Sir, after studying the statement issued by the three ministers, I thought it is the duty of the Opposition to table this adjournment motion. It is not our intention to cause any embarrassment to our friends. Our only desire is to uphold the spirit of democracy, to establish healthy traditions and to enhance the prestige of this House and with that end in view, I have tabled this adjournment motion.

This motion, Sir, in my opinion, fulfils all the conditions laid down under the Rules of Procedure for the admission of this motion. The motion is definite. It relates to the statement issued by the three ministers in violation of the principles of democracy and collective responsibility, in advance of any decision taken by the Cabinet or showing defiance to the attitude taken by their leader. So, Sir, one of the conditions is definite and there cannot be any doubt about this. Secondly, it is of recent occurrence. The statement was issued on the 11th of October and it was brought to our notice on the 12th morning. I have taken the earliest opportunity of tabling a motion on that statement on the 12th instant before 10 A.M. So far as this condition is concerned, I have fulfilled. The third one is of public urgent importance. On this matter, I will have to dilate a little and satisfy the Chair that this is a matter which is not only of urgent importance, but of primary importance and to show howit is important to the public or to the people, I will have to go into a little detail and show precedents and show what has taken place in other countries.

Sir, we are in a democratic age. The people are our sovereigns. It is in the name of the people that we govern. We are in a democratic parliamentary and cabinet system of Government. Cabinet system of Government means, it is a committee wherein some politicians sit and as such the Cabinet is the supreme governing authority in the State. This Cabinet is constituted by the Chief Minister and all the other ministers owe their presence in the Cabinet to the choice of the Chief Minister. That is why the Chief Minister is supposed to be the key-stone of the arch of the Cabinet system and the other ministers are merely the supporting stones. The Cabinet, when it is constituted, is governed by fundamental principles and fundamental laws. Now, these important questions of public importance will arise. Should the members of the Cabinet owe collective responsibility to this House or individual responsibility ? What is the relationship between the Chief Minister and other Ministers ? Are the Ministers of the Cabinet free to act as they please, or are they free to express their opinion as they please, or are they free to adopt any attitude as they please. And four, when such a contingency arises, what is the further course, the attitude, the ministers concerned should take what should be the attitude of the Chief Minister concerned ? These are the four important crucial principles of democracy which I want to discuss and which are of high public importance and which affect the people.

Sir, the Chief Minister on the opening day of this Session was pleased to remark that there was no split in the Cabinet and perhaps if I remember it correctly, the opinion was unanimous regarding the Report of the States Reorganisation Commission.

Sri K. HANUMANTHAIYA (Chief Minister).— When did I say ? It is not correct.

Sri K. PATTABHIRAMAN (Kolar).— Cabinet was not divided on that issue.

Sri K. HANUMANTHAIAH.— I would like to go through the proceedings. There is no such statement made by me, Sir.

Sri J. MOHAMED IMAM.—I stand corrected, Sir. I also remember that he was cool, calm and happy. When we saw him we all felt very happy, and I am sure even today he is cool, calm and happy, but what my surprise was after the second or third day of his statement, there comes flashing in all the newspapers that there is split in the Mysore Cabinet ; that the Ministry is in jeopardy ; that the three ministers have adopted a militant attitude and that everything is unsettled. As a member of the public, I am really very much concerned over this state of affairs. My well-being or the well-being of the public or the well.being of the entire State depends upon the administration of the Cabinet. The members of the Cabinet are expected to administer for the safety and well-being of the State and every member of the Cabinet is an administrator and he cannot adopt for himself the role of an agitator. As long as he is in the Cabinet, he is an administrator, and he is expected to act as an administrator. It is far from his jurisdiction to become an agitator. It is his duty to act as a peace-maker.

Sri Kadidal MANJAPPA.—He is making a wrong impression that we are agitators. He must substantiate it.

Mr. SPEAKER.—You should not be too touchy over this.

Sri J. MOHAMED IMAM.— The members of the Cabinet, so long as they remain in the Cabinet, must be peace-makers and not trouble-makers. They must see that law and order is maintained in the country.

Sri Kadidal MANJAPPA.— The Opposition Leader must also act like that.

Sri J. MOHAMED IMAM.— If the cap fits in, I will take it.

Therefore it is their duty to maintain peace and order in the country and do things which will not contribute to the unhappy relationship that has already been existing. In this connection, Sir, may I remind this House the warning given by the Prime Minister who advised all the people that when the Reorganisation Commission Report is published everybody must be cool and calm and they must be very patient and must refrain from everything that will contribute to the unhappy state of affairs.

Well, Sir, in this case I must, with great regret state before this House that the attitude taken by my three friends is not complimentary, especially taking into consideration the present situation, the present state of affairs and excitement and the present tension which is mounting day by day. We find flashed in the papers of India "Tension in the Mysore Cabinet, excitement in the Assembly and excitement everywhere." This is really causing a good deal of anxiety to the entire public of the State. We, as opposition members, want a stable Government; we want a Government that will lead us in the right path. Our duty is not really to overthrow you, but to help you in the administration of this State especially in such crucial times. Was it not possible for the Cabinet to come to a healthy understanding ? So, Sir, in the first place, I must say, that the statement made by them is of a paramount public importance.

Secondly, Sir, other questions arise. When a Minister or a person joins the Cabinet, he must divest himself of all personal freedom, he must divest himself of his freedom of speech and freedom of action. Let me quote from the book by Ivor Jennings, *vide* page 265.

> " A Member of the Government when he takes office necessarily divest, himself of that perfect freedom of action which belongs to a private and independent member of Parliament. And the reason is this: that what a member of the Government does and says upon public matters must to a certain degree commit his colleagues and the body to which he belongs"

Sir, if the opinion expressed by these three members, even if it is in advance of the Cabinet issue, is going to be adopted by the Cabinet and if the three Ministers feel that their opinion is practically the opinion of the Cabinet, either the present or the future opinion, then I have no quarrel. But when they know that their opinion is not likely to be adopted by the Cabinet and will be contrary to the opinion expressed hy the Chief Minister, then I think they have violated the principles and the rules of democracy and they have not acted as Ministers who are bound by certain sets of rules, who have taken the oath of allegiance I think, they have failed in their duty.

Mr. SPEAKER.—There is no decision to that effect in the Cabinet.

Sri J. MOHAMED IMAM.— They should not express any opinion in advance of the decision of the Cabinet; but the opinion expressed by the Chief Minister is authoritative because when he makes an opinion, he pledges his colleagues to that opinion. And in case his colleagues do not agree with him, then the Chief Minister's position becomes insecure. But as it is now, their opinion is not shared by the majority of the members of the Cabinet. So much so, I must say, their opinion is entirely different from the opinion of the majority of the House or their opinion is not endorsed by the Cabinet decision and they should not have expressed any opinion.

> Page 264.—"The duty of a Minister is not merely to support the Government but to refrain from making any speech or to do any act which may appear to implicate the Government. The Prime Minister or the Leader of the House of Commons or even an individual Minister must on occasions take decisions without Cabinet sanction"

I think it is the privilege of the Chief Minister to take a decision who is the head, but not the Minister.

> "But this does not mean that he may reverse a Cabinet decision without just cause or branch out into new lines of policy without prior Cabinet consent."

So, Sir, it is perfectly clear that no Minister should make a speech which is not endorsed by the Cabinet or which is not going to be supported by the Cabinet and which is at variance, which varies materially with the speech of the Chief Minister. I will just give one or two examples:

> "Prime Minister is frequently in a position to pledge his colleagues' support because the only alternative is his own resignation. Secondly a Minister should not announce a new policy without the Cabinet consent."

So, what my friends have done is either in their private capacity or in their individual capacity or either public capacity, they have announced a new policy regarding that report. They have announced their intention. Now they cannot separate themselves from their public duties, they cannot separate themselves from their public capacity. Sri Kadidal Manjappa as by himself does not exist in this House or at the Secretariat, but he is at his house."

Sri M. MADIAH (Nanjangud—Scheduled Castes).—On a point of order, Sir. The Leader of the Opposition has entered into the merits of the subject-matter covered in the adjournment motion. At the outset, he began his speech stating that he will speak only whether the adjournment motion is admissible under the rules. Now he has entered on the merits and explaining things which are contradictory to his statement.

Mr. SPEAKER.—He is only explaining.

Sri J. MOHAMED IMAM.—My friend was the Deputy Chairman of the Legislative Council when we were the Ministers. He knows the rules.

I was telling how this matter was of public importance, how public are concerned about this matter. That was the situation I was explaining.

It may be said first that the Prime Minister is frequently in a position to pledge his colleagues' support,

(SRI J. MOHAMED IMAM.)

because the only alternative is his own resignation. Secondly a minister sould not announce any new policy without Cabinet's consent; when he does so the Cabinet must either support him or accept his resignation from the Ministry; he ought to be chary about expressing a personal opinion about the future policies except after consultation. If any minister expresses any opinion without consultation, then the Prime Minister has real cause, for complaint he can take action against him. "Any statement made in advance of Cabinet decision is dangerous to the stability of Government."

Sri Kadidal MANJAPPA.—I am sorry, I do not want to interrupt him. He must read the full sentences.

Mr. SPEAKER.—You should not read sentences disjointedly.

Sri K. HANUMANTHAIYA.—You must apply joint responsibility of the words there.

10 A.M.

Sri J. MOHAMED IMAM.—"Any statement in advance of the Cabinet decision is dangerous to the stability of the Government." I think I am perfectly correct.

Sri Kadidal MANJAPPA.—He has left one clause in the sentence "and if the circumstances are such as to pledge the Government."

Sri J. MOHAMED IMAM.—I think I have read it.

Mr. SPEAKER.—Please read the whole sentence.

Sri J. MOHAMED IMAM.—These precedents are inconclusive.

> "It may be said first that the Prime Minister is frequently in a position to pledge his colleagues' support because the only alternative is his own resignation. Secondly, a Minister should not announce a new policy without Cabinets' consent but if he does, the Cabinet must either support him or accept his resignation. Thirdly, a Minister ought to be chary about expressing personal opinions about future policy except after consultation and if the circumstances are such as to pledge the Government, the Prime Minister has real cause for complaint. Any statement in advance of the Cabinet's decision is dangerous to the stability of the Government."

Again,

> "In normal conditions, controversies between Ministers in the House of Commons—except when a free vote was allowed—would be so obviously an infringement of the principle of collective responsibility that it is extremely unlikely that it would happen."

So I submit that the attitude adopted by my friends is an infringement of collective responsibility. It is an infringement of the democratic principle. Because it is a well known principle that there must be not only collective responsibility but also collective will. Another point is, I have said that the Ministers are not free to express their opinion; they are not free to divulge their opinion in advance.

Sri Kadidal MANJAPPA.—"except when a free vote was allowed. . . ." Where is it stated?

Sri J. MOHAMED IMAM.—On page 268. I do concede that the Minister has a right to make a statement. When is it? It is provided under the rules of business, under the rules of law. He can make a statement only after his resignation if he differs materially and fundamentally from his colleagues and that too by convention it is expected of him that after resignation he must make the first statement on the floor of this House. He can explain the circumstances which led to the divergence of opinion, which led to differences of opinion and the causes that led him to resign. It is only then that he will be free to make a statement. But this has not been adopted by my friends. They want to have both the cake and eat it too. They want to continue in the Cabinet and at the same time carry on propaganda against a vital issue,

When they have no freedom of speech. when they are bound hand and foot by rules and conventions, the best way for them would be to have resigned and taken the opportunity first to place their grievances before this House and afterwards go up to the public and educate or teach the people. So I must state that they have broken all fundamental conventions. I must point out another thing. Rules demand that the Ministers in the Cabinet should not oppose each other unnecessarily or even if they oppose. . . .

ಶ್ರೀ ಎಚ್. ಕೆ. ವೀರಣ್ಣಗೌಡ (ಮದ್ದೂರು).—ಈಗ ಮಂತ್ರಿಮಂಡಲದಲ್ಲಿರತಕ್ಕ ಮೂರು ಜನ ಮಂತ್ರಿಗಳು ಕೊಟ್ಟಿರತಕ್ಕಂಥ ಹೇಳಿಕೆಗಳು ಸರಿಯೇ ಅಥವಾ ತಪ್ಪೇ ಎನ್ನುವುದರ ಬಗ್ಗೆ ಈಗ ಮಾತನಾಡುತ್ತಿರುವ ಮಾನ್ಯ ಸದಸ್ಯರು ಬಹಳ ಸ್ವಾರಸ್ಯವಾದಂಥ ಒಂದು ಭಾಷಣವನ್ನೇ ಮಾಡುವುದಕ್ಕೆ ಪ್ರಾರಂಭಮಾಡಿದ್ದಾರೆ. ಆದರೆ ಈಗಿನ ಪ್ರಕೃತ ಸಂದರ್ಭಕ್ಕೆ ಬೇಕಾಗಿರತಕ್ಕ ವಿಚಾರ ಪೆಷ್ಟ್ಯೂಬುದನ್ನು ಮಾತ್ರ ತಿಳಿಸಿದರೆ ಸಾಕೆಂಬುದಾಗಿ ಈಗಾಗಲೇ ನಮ್ಮ ಮಾನ್ಯ ಮಿತ್ರರಾದ ಶ್ರೀ ಮಾದಯ್ಯನವರು ತಮ್ಮ ಗಮನಕ್ಕೆ ತಂದಿದ್ದಾರೆ; ಆದರೆ, ಮಾನ್ಯ ಸದಸ್ಯರು ಅವರ ಅಭಿಪ್ರಾಯವನ್ನೇ ಇನ್ನೂ ಅರ್ಥಮಾಡಿಕೊಂಡಿರುವ ಹಾಗೆ ಕಾಣುವುದಿಲ್ಲ. ಒಂದು ಅಡ್ಜರ್ನ್‌ಮೆಂಟ್ ಮೋಷನ್ನನ್ನು ಅಂಗೀಕರಿಸಬೇಕಾಗಿದ್ದರೆ ಅದು ಇರಬೇಕಾದ ರೀತಿ ಹೇಗಿರುತ್ತದೆಯೆಂದರೆ—" .....to raise a discussion on a matter of definite, urgent, public importance and of recent occurrence ' ಎಂದು ಇರುವುದು. ಅಂದರೆ ಈಗ ಬಂದಿರತಕ್ಕಂಥ ವಿಚಾರ ಹೇಗೆ definite, urgent ಆದದ್ದು, ಹೇಗೆ ಅದು public importance ಆಗುತ್ತದೆ ಮತ್ತು ಇದು recent occurrence ಆಗುತ್ತದೆಯೇ ಎನ್ನತಕ್ಕ ಈ ಮೂರು ಅಂಶಗಳನ್ನು ತಿಳಿಸಬೇಕೇ ಹೊರತು ಯಾವ್ಯಾವುದೋ ಪುಸ್ತಕಗಳನ್ನು ಹಿಡಿದುಕೊಂಡು ಅಲ್ಲಿ ಅವರು ಹಾಗೆ ಮಾಡಿದರು, ಇಲ್ಲಿ ಇವರು ಹೀಗೆ ಮಾಡಿದರು, ಅವರು ಹಾಗೆ ಲಾಗ ಹಾಕಿದರು, ಇವರು ಹೀಗೆ ಲಾಗ ಹಾಕಿದರು ಎಂದು ಹೇಳುತ್ತಿರುವುದೂ ಸಂಬಂಧವಿದೆಯೇ, ಇಲ್ಲವೇ ಎನ್ನುವುದನ್ನು ಗಮನಿಸಿದೆ ಅಧ್ಯಕ್ಷರಾದ ತಾವು ಇದನ್ನು allow ಮಾಡುತ್ತಿರುವುದೂ ಬಹಳ ಆಶ್ಚರ್ಯವಾಗಿ ಕಾಣುತ್ತಿದೆ. ಆದುದರಿಂದ ಈಗಲಾದರೂ ಅವರು ತಮ್ಮ ಭಾಷಣವನ್ನು ಈ ವಿಚಾರ ಚರ್ಚೆಗೆ ತೆಗೆದುಕೊಳ್ಳಲು ಅವಕಾಶವಿದೆಯೇ ಅಥವಾ ಇಲ್ಲವೇ ಎನ್ನತಕ್ಕ ನಿಯಮಾವಳಿಗಳಿಗೆ confine ಮಾಡಿದರೆ ನೂಕ್ತ ಎಂದು ಕಾಣುತ್ತದೆ.

Mr. SPEAKER.—I think the Hon'ble Member has understood his point, how it is of public importance. . . . .

Sri J. MOHAMED IMAM.—I have understood, but I take one exception. "ತಾವು ಅಧ್ಯಕ್ಷರು ಇದನ್ನು allow ಮಾಡಿದ್ದು ಆಶ್ಚರ್ಯವಾಗಿರುತ್ತದೆ" ಎಂದು ಹೇಳಿದ್ದರಲ್ಲಿ there is nothing surprising. . . .

Mr. SPEAKER.—He has brought it to the notice of the Chair. There is nothing wrong in it.

Sri J. MOHAMED IMAM.—It challenges. . . .

Sri H. K. VEERANNA GOWDH.—Don't misinterpret me.

Sri J. MOHAMED IMAM.—I am stating how it is important from the public point of view. I have to say it in detail. In such a case a Minister who is not prepared to defend his position must therefore resign and that is the only alternative course and the only logical course. I can show, not now, scores and scores of examples wherein when the Minister has differed from the Prime Minister or from the Chief Minister, he at once resigned.

Mr. SPEAKER.—What is the public importance ?

Sri J. MOHAMED IMAM.—The public importance is that the public at present are interested in seeing the stability of the administration, the stability of the Cabinet. If it is split, then the public suffer, as anything may happen. There is nobody to enforce law and order. That is of public importance, very important from the public point of view.

Mr. SPEAKER.—That you can say.

Sri J. MOHAMED IMAM.—Now it is a discordant Cabinet. We are here to establish democratic conventions. It is a discordant Cabinet. It is a house divided among itself and such is the case from the public point of view. It is important that there should be homogeneity and not heterogeneity. I am only anxious to establish homogeneity and not heterogeneity. I am not anxious that my friends should go out. I have got personally great regard for them. I love them. But we have to quarrel because we love each other. Husband and wife have to quarrel because they love each other. There are tears in my eyes to demand that they should resign in order that homogeneity is established in this House.

There is one more reason. I will quote from Herbert Morrison on page 60 :

> " All Ministers therefore, whether members of the Cabinet or not, share

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a collective responsibility, including that for Cabinet or Cabinet Committee decisions in the reaching of which they have taken no part whatever." This may sound rather rough, indeed, from time to time it is. But the Government must stand together as a whole and Ministers must not contradict each other, otherwise cracks will appear in the Governmental fabrick. That is liable to be embarrassing or possibly fatal, and indeed injurious to good Government. All this is part of the contract of service. It has to be endured as a condition of acceptance of office."

When they accepted the office, they are bound by all rules and regulations.

Sri T. CHANNIAH (Minister for Public Health and Local Self Government).—I want to point out that Hon'ble Member Sri Imam is discussing the merits of the adjournment motion. He cannot discuss it.

Mr. SPEAKER.—That is true. He is saying how it is of public importance.

Sri T. CHANNIAH.—He must explain the urgency of the motion and whether it is one of recent occurrence, etc.

Mr. SPEAKER.—He is explaining how it is of public importance.

Sri J. MOHAMED IMAM.—Now I will go to the urgency. We are faced with vital issues. If the Ministers begin to quarrel among themselves, what should be our fate?

Mr. SPEAKER.—That you have already said.

Sri J. MOHAMED IMAM.—It is the duty of the Chief Minister to get rid of heterogeneous elements and establish harmony.

Mr. SPEAKER.—Still the Leader of the Opposition has no chance of becoming the Leader of the House.

Sri J. MOHAMED IMAM.—I am prepared to take his place. Two more points I have to explain regarding admissibility. It is an urgent matter because they are faced with a crisis and if crisis continues, anything may happen. Throughout the State there is commotion and other things.

Now I come to the last point. Previously, I think rulings have been given that there is no need to admit an adjournment motion if there is going to be a parliamentary opportunity when this subject can be discussed. What is the parliamentary opportunity? Is making a casual remark or passing a casual reference, a parliamentary opportunity? Supposing opportunity comes when it can be discussed as a separate issue and votes taken. If such an opportunity comes, then I think there is no need to admit it as an adjournment motion. But here in the rest of the session no such opportunities will come. It cannot be taken in the form of an interpellation, it cannot be taken in the form of a resolution or as a cut motion. Even now if opportunities come, we can make only passing references. On the other hand, this is such a vital matter and issue that the whole House would be interested in its discussion, and all the members of this House should get an opportunity.

So, for want of an opportunity also, I submit that it must be allowed as a motion of adjournment, so that all the Members of this House can concentrate their attention on this subject and come to a conclusion. Sir, I think I have said preliminarily. I have a lot to say if the Chair is pleased to admit it, and I will obey whatever the Chair says. But my only anxiety is this. We all share in the joys and sorrows of the State including yourself and the Chief Minister. We are interested in real democracy and it is my painful duty to say that in the interest of the State, in the interest of the homogeneity of the Cabinet that those Ministers who have thought it fit to openly defy the Chief Minister should divest themselves of their ministerial powers or if they think they are in a strong position, the whole position should be reviewed by the Leader of the House. As long as he is our accredited Leader, it is left to him to take that course. It has happened so many times and if it is in the interest of the State that he has to part with his colleagues, he has to do it. With these remarks, I

submit this adjournment motion for your kind consideration.

Sri S. GOPALA GOWDA (Sagar—Hosanagar).—I want to say something.

Mr. SPEAKER.—Have you anything to add ?

Sri S. GOPALA GOWDA.—Yes.

Mr. SPEAKER.—I have told you already that we shall not enter into the merits.

Sri T. CHANNIAH.—Only the member who moves the adjournment motion must be given an opportunity to speak on the question of admissibility or otherwise and not others. That is the parliamentary practice.

Sri L. SIDDAPPA (Chennagiri).—No. All those who can contribute can speak on the adjournment motion.

*ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ಸ್ವಾಮಿ, ಈ ನಿಲುವಳಿ ಸೂಚನೆಯನ್ನು ಮಂಡಿಸಿರತಕ್ಕ ಮಾನ್ಯ ಸದಸ್ಯರಾಗಿರುವ ಶ್ರೀಮಾ ಇಮಾಂ ಸಾಹೇಬರವರು ಈ ನಿಲುವಳಿ ಸೂಚನೆಯನ್ನು ಈ ಸಭೆಯಲ್ಲಿ ಚರ್ಚಿಸಲು ಅವಕಾಶ ಕೊಡುವುದಕ್ಕೆ ಅರ್ಹವಾಗಿದೆ ಎಂಬ ವಿಷಯದಮೇಲೆ ಮಾತನಾಡಿ ಸವಿಸ್ತಾರವಾಗಿ ವಾದ ಮಾಡಿದ್ದಾರೆ. ಅವರ ವಾದವನ್ನು ಪುಷ್ಟೀಕರಿಸುತ್ತಾ ನಾನು ಒಂದೆರಡು ಅಂಶಗಳನ್ನು ಈ ಸಂದರ್ಭದಲ್ಲಿ ಹೇಳಬೇಕಾಗಿದೆ. ಮೊದಲನೆಯದಾಗಿ ಈ ವಿಷಯ ಬರೀ ವಿಧಾನ ಸಭೆ ಮತ್ತು ಸರ್ಕಾರ ಇವೆರಡರ ಮಟ್ಟಿಗೆ ಪ್ರಾಮುಖ್ಯತೆ ಪಡೆದಿರತಕ್ಕಂಥಾದ್ದಲ್ಲ. ಮೈಸೂರು ಸಂಸ್ಥಾನದ ಮತ್ತು ಹೊರಗಡೆ ಇರತಕ್ಕಂಥ ಕನ್ನಡ ಪ್ರದೇಶದ ಜನಗಳ ಮತ್ತು ಈಗತಾನೆ ಹೊರಬಿದ್ದಿರುವ ಅತಿಪ್ರಾಮುಖ್ಯವಾದ States Reorganisation Commission ರಿಪೋರ್ಟಿಗೆ ಸಂಬಂಧಪಟ್ಟುದು. ಈಗಿನ ಸಂದರ್ಭದಲ್ಲಿ ಹೇಳಬೇಕಾದರೆ ಕೇವಲ ಮೈಸೂರು ಸಂಸ್ಥಾನಕ್ಕೇ ಅಲ್ಲ, ಇಡೀ ಇಂಡಿಯಾದೇಶಕ್ಕೆ ಪ್ರಾಮುಖ್ಯವಾಗಿರತಕ್ಕ ಈ ಒಂದು ವಿಷಯದಮೇಲೆ ಸಂಯುಕ್ತ ಮತ್ತು ಸಾಮೂಹಿಕ ಜವಾಬ್ದಾರಿ ಹೊತ್ತಿರತಕ್ಕವರು Cabinet ನವರು. ಬೇರೆ ಒಬ್ಬ ಸದಸ್ಯರೋ ಅಥವಾ ಯಾವುದೋ ಪಕ್ಷಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಸದಸ್ಯರೋ ತಮ್ಮ ವೈಯಕ್ತಿಕ ಅಭಿಪ್ರಾಯವನ್ನು ವ್ಯಕ್ತಪಡಿಸಿದರೆ ಆ ವಿಷಯಗಳನ್ನು ಅಷ್ಟು ಪ್ರಾಮುಖ್ಯವಾಗಿ ಮತ್ತು ಅಷ್ಟು ಗಣನೀಯವಾಗಿ ಪರಿಗಣಿಸಬೇಕಾಗಿರಲಿಲ್ಲ. ಆದರೆ ಈ ಸಂದರ್ಭದಲ್ಲಿ ಮೂರು ಜನ ಮಂತ್ರಿಗಳು ತಮ್ಮ ಅಭಿಪ್ರಾಯಗಳನ್ನು ಪತ್ರ ಬರೆಯುವುದರ ಮೂಲಕ ಮತ್ತು ಪತ್ರಿಕೆಗಳಿಗೆ ಸಾರ್ವಜನಿಕ ಹೇಳಿಕೆಗಳನ್ನು ಕೊಡುವುದರ ಮೂಲಕ ತಾವು ಮಂತ್ರಿಗಳಾಗಿದ್ದೇವೆ ಎನ್ನುವ ಸ್ಥಾನವನ್ನು ಉಪಯೋಗಿಸಿಕೊಂಡು ಇತರ ಸದಸ್ಯರಮೇಲೆ ಪ್ರಭಾವ ಬೀರುವುದರ ಮೂಲಕ ಈ ಕೆಲಸಕ್ಕೆ ತೊಡಗಿದ್ದಾರೆ.

Sri Kadidal MANJAPPA.—I think he is entering into the merits of the case.

Mr. SPEAKER.—The member must say how it is important.

ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ಈ ವಿಷಯ ಅತ್ಯಂತ ಪ್ರಾಮುಖ್ಯವಾದುದು ಎಂಬುದಾಗಿ ನಾನು ಈ ವಿಷಯವನ್ನು ಹೇಳಬೇಕಾಗಿದೆ.

Sri Kadidal MANJAPPA.—In the garb of arguing whether it is admissible or not, he is saying all sorts of things.

Mr. SPEAKER.—It may be an important matter. But the member must say how it is of public importance.

ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ಅದಕ್ಕೇ ನಾನು ಹೇಳುತ್ತಾ ಇರುವುದು. ಸಾಮಾನ್ಯವಾಗಿ ಯಾರೋ ಒಬ್ಬರು ಈ ಸಭೆಯ ಸದಸ್ಯರಾಗಲೆ ಅಥವಾ ಹೊರಗಡೆಯ ಒಬ್ಬ ಸಾರ್ವಜನಿಕ ವ್ಯಕ್ತಿಯಾಗಲಿ ಇಂತಹ ಹೇಳಿಕೆಯನ್ನು ಕೊಟ್ಟರೆ ಅಥವಾ ಆ ರೀತಿಯಾದ ಪ್ರಚಾರದಲ್ಲಿ ತೊಡಗಿದರೆ ಅದು ಅಷ್ಟು ಪ್ರಾಮುಖ್ಯವಾದ ವಿಚಾರವಾಗುವುದಿಲ್ಲ. ಈ ಸಂದರ್ಭದಲ್ಲಿ ಕೇವಲ ಈ ಸಭೆಯ ಸದಸ್ಯರು ಮಾತ್ರವಲ್ಲ; ಅವರು Cabinet ನಲ್ಲಿರತಕ್ಕಂಥವರು ಮತ್ತು ಮಂತ್ರಿ ಪದವಿಯಲ್ಲಿರತಕ್ಕಂಥವರು. ಈ ಮೂರು ಜನ ಮಂತ್ರಿಗಳು ಈ ರೀತಿ ಹೇಳಿಕೆಯನ್ನು ಕೊಟ್ಟಿದ್ದಾರೆ. ಆ ಹೇಳಿಕೆ ಕೊಟ್ಟಿರುವುದನ್ನು ಅವರು ಸಮರ್ಥಿಸಿದ್ದಾರೆ ಮತ್ತು ಈಗಲೂ ಸಮರ್ಥಿಸುತ್ತಿದ್ದಾರೆ. ಆ ವಿಷಯ ಈಚೆಗೆ ನಡೆದದ್ದು ಮತ್ತು ಈಗಲೂ ನಡೆಯುತ್ತಾ ಇರತಕ್ಕದ್ದು. ಈ ವಿಷಯದಮೇಲೆ ಈ ನಿಲುವಳಿ ಸೂಚನೆಯನ್ನು ಮಾನ್ಯ ಸದಸ್ಯರು ಮಂಡಿಸಿದ್ದಾರೆ. ಕೇವಲ ನಮಗೆ ಪಾರ್ಲಿಮೆಂಟರಿ ಅವಕಾಶ ಎಂದರೆ ಒಂದು ಅವಿಶ್ವಾಸ ನಿರ್ಣಯವನ್ನು ಸೂಚಿಸುವುದರ ಮೂಲಕ ನಾವು ಈ ವಿಷಯವನ್ನು ಸಾಕಷ್ಟು ಗಾಂಭೀರ್ಯವಾಗಿ ಚರ್ಚಿಸಬಹುದೇ ಹೊರತು ಬೇರೆ ಯಾವ ರೀತಿಯಲ್ಲೂ ಚರ್ಚಿಸಲು ಪಾರ್ಲಿಮೆಂಟರಿ ಅವಕಾಶವೇ ಇಲ್ಲ. ಈಗಾಗಲೇ ತಿಳಿಸಿದಹಾಗೆ ಈ ನಿಲುವಳಿ ಸೂಚನೆಯು ಸಂಯುಕ್ತ ಜವಾಬ್ದಾರಿ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟುದರಿಂದ ಇದು ಬಹಳ ಪ್ರಾಮುಖ್ಯವಾದುದು.

Mr. SPEAKER.—Is it the opinion of the member that the adjournment motion is not in order ?

Sri S. GOPALA GOWDA.—It is in order. ಮಂತ್ರಿಗಳು ತಮ್ಮ ಸಾಮೂಹಿಕ ಜವಾಬ್ದಾರಿಯನ್ನು ಉಲ್ಲಂಘಿಸಿ ಮತ್ತು ನಮ್ಮ ಮುಖ್ಯ ಮಂತ್ರಿಗಳ ಸಾದವನ್ನು ಉಲ್ಲಂಘಿಸಿ ನಡೆದಿರುವುದರಿಂದ ಈ ವಿಷಯಕ್ಕೆ ಹೆಚ್ಚಿನ ಪ್ರಾಮುಖ್ಯತೆಯನ್ನು ಕೊಡಬೇಕಾಯಿತು. ಆದ್ದರಿಂದ ಈ ನಿಲುವಳಿ ಸೂಚನೆಯು ಕಾನೂನಿನಲ್ಲಿ ಗೊತ್ತುಮಾಡಿರುವ ಪ್ರಕಾರ ಎಲ್ಲಾ ವಿಧದಲ್ಲಿಯೂ ಅರ್ಹವಾಗಿದೆ. ಆದ್ದರಿಂದ ಅಧ್ಯಕ್ಷರು ಈ ವಿಷಯಗಳನ್ನು ಗಮನಿಸಿ ಇದನ್ನು ಚರ್ಚಿಸುವುದಕ್ಕೆ ಅವಕಾಶ ಕೊಡಬೇಕು ಎಂದು ನಾನು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

Sri K. PATTABHIRAMAN (Kolar).—Mr. Speaker, the motion that is now before the House in so far as it relates to the question of admissibility of this motion, is of very great importance. Sir, I look at it from a different standpoint altogether. It is not the

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immediate problem or the problem of the statement or the other issues which at first sight attract us. That really does not worry me. But what really concerns me is the effect such a statement would have and the situation that arose out of that. I may make myself clear by making one or two clarifications. First question is in regard to the admissibility.

MR. SPEAKER.—I want the members to speak only with regard to admissibility. It may be that it might have a far-reaching consequence. That is a different thing. There are other forums to discuss that.

SRI K. PATTABHIRAMAN.—Let me continue. Here, there are four questions which are involved in a statement of this kind. They are sufficiently canvassed with ability and scholarship by the Leader of the Opposition. I wholeheartedly endorse that. There is the other question which I would like to place for particular consideration. An adjournment motion generally implies the supersession of the normal business of the House and taking precedence over it. Is there any ground made out for it? There is this new ground which I would like to traverse. In so doing, in a case of this kind, it is inevitable that some of the ground already covered will have to be gone over again in order to make the position clear. Now, what is it that has happened? The first and foremost principle of a Cabinet which has joint responsibility is that the Captain of the team, who is the Chief Minister has got certain special privileges, which are denied to his colleagues. Here is a captain making a certain statement. Suppose that statement is not in accord with the general principles of the party which has put him in office, of the House of which he is the spokesman, of the country of which he is the accredited leader, the responsibility for the statement, and the natural consequences of the statement that he would make will always devolve upon his head and come back upon him with a telling rebound. That is a matter for him to consider. So far as the country is concerned, so far as the House is concerned, he occupies a privileged position which the Constitution guarantees him. The question now before us is this: In a State we must be administered by a team, the captain of which must have the supreme sway and the confidence of all his colleagues. The question now to be considered is: can we carry on the normal business of the House? What is the situation created? What is the feeling that has been engendered in the country? What is the feeling prevailing all round as a result of the statement? Now, in that atmosphere, is it possible, is it right and is it proper that we should continue and carry on our normal business in this House when stupendous issues arising out of these statements are agitating the minds of men in the country? No. Sir, I am making a a distinction between a vote of censure and a motion of adjournment. I perfectly see the difference between the two. What we are now discussing is not a vote of censure. What we are discussing is the situation that has shaken the very foundation of the edifice of what we call Cabinet Government. I feel that should be a very good, sufficient, strong and substantial ground for suspending the normal business of the House. The admissibility must be apparent and obvious. To my mind, humble as it is, I feel the matter is so obvious that there is nothing for me to say. I want you to appreciate the extraordinary situation, now obtaining, to decide whether it is admissible or not. Let us take it in another form. I will not enter into the merits nor is it proper to do it either. Now, what is it that has happened here? On the first day when we met that morning, the report containing certain recommendations of the States Reorganization Committee were published. We are not worried about that so far as this motion is concerned. That afternoon several exchanges have taken place, several clarifications have been made. The Leader of the House is the Head of the Administration. In fact, you may kindly remember that when a question was pointedly put to the Chief Minister, he said that he was answering as the Head of the Government and not as Sri Hanumanthaiya.

I perfectly agree with that view and give him the entire majesty of that place that he is entitled to. That was the position on the 10th afternoon. But 48 hours thereafter a rift is there and another feeling is created. I ask, is not the country entitled to be administered by a team, the captain of which has the loyal co-operation and the obedience of his colleagues? That is the test. The test that I want to have is, can we go on with the normal business of the House when we know that we are going to be administered by a team, the captain of which does not have the unquestioned loyalty of his colleagues? They may have very good reasons to differ from him. I am not entering into the merits. There is a big conflagration around, there is plenty of disturbance going about, and the normality of public life has been suddenly disturbed by something that is happening. It may be that the merits of the statement may be viewed this way or that. I am not worrying myself about that. There may be very good reason, perfect justification for that. What I am asking is, when we are to be administered under a Cabinet system of Government, parliamentary form of Government and in conformity with accepted principles of that system of Government, when we have a situation like that, can there be normal feeling, can there be that detachment to do normal business? I have my own doubt; I feel I have justification in holding that view. Here is a divided Cabinet where loyalty is broken. In fact I remember a statement made by the Leader of the House on the first day to a question by Sri Kari Gowda that with his co-operation he wanted to ensure unanimity. I really appreciate the stand taken by him, but today we find all the feeling that was expressed, all the expectations that were raised on the 10th of this month when we started the session, were all shattered to the ground. They are as clear as crystal and there is absolutely no unanimity. Now I ask: should we not tell the representatives in the Government that this will have its repercussions on several other matters and on the day to day administration which cannot be carried on normally as, you cannot work as a team? And all your work will be conditioned by the attitude that you have taken on very major questions. To me that a statement can be made by a responsible Minister whether in the House or outside about the destinies of the people over which he rules is ununderstandable. I cannot understand the argument that a person has got a dual personality.

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That he is an individual and he is a Minister I am afraid is the view which to me appears to be very highly illusory. At any rate, I cannot subscribe to that view. A responsible Minister is a responsible minister wherever he makes a statement. It is a major question which exercises the minds of the people. Why do you want the adjournment of the House? We cannot carry on the normal business when there is a big fire ball going around. I want the House and you to appreciate this. Can we carry on the normal business of the House for the next ten or twelve days when a big conflagration is around us, when a volcano has erupted? That is the test In the case of an adjournment motion, what is the test? Can we go on normally as normal people unconcerned, disdainfully, disregardful and disrespectful of everything that is going on around us? Is it a problem of this kind? That is the test. Therefore, I ask that, in addition to the arguments suggested by my friend the Hon'ble Leader of the Opposition, you will have to consider this very important question as to how 'normal business of the House, which otherwise would have gone on, could go on'. Should it go on or should it be interrupted?

Mr. SPEAKER.—Suppose, taking for granted, this is admitted and the discussion will take place, what is the effect? How will it improve?

Sri K. PATTABHIRAMAN.—I request you, Sir, to bear in mind the very good and the very helpful interruptions that were being made when the Leader of the Opposition was on his feet, by the Minister for

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Revenue, who is a party to the statement. He was asking the Leader of the Opposition to read one particular phrase from that book which he referred to as "prior consultation". It looks to me, if we analyse the interruptions made by the Hon'ble Minister for Revenue, that possibly a big surprise is going to be sprung that the Leader of the House might have been consulted. Otherwise that interruption which refers to that phrase "prior consultation" will lose its significance.

Sri Kadidal MANJAPPA.—I have never said that he should read the words "prior consultation". I have got a regard for my friend from Kolar. But he should not misrepresent things.

Sri K. PATTABHIRAMAN.—If purposelessly, the interruption has been made, he should thank himself for it. But I felt that interruption was deliberate and it had some significance—in asking the Leader of the Opposition to read the phrase "prior consultation."

Sri Kadidal MANJAPPA.—I never stated that. He is misquoting.

Sri K. PATTABHIRAMAN. That phrase which was not read by the Leader of the Opposition was asked to be read. He read it again. Anyway, whatever it is, the position is clear.

Sri Kadidal MANJAPPA.—"If the circumstances are such as to pledge the Government", that is the clause I read. I did not refer to the other phrase.

Sri K. PATTABHIRAMAN.—It is there.

Sri Mulka GOVINDA REDDY (Chitaldrug).—Are we going into the merits of the issue or are we considering the admission of the motion tabled by Sri Imam?

Sri K. PATTABHIRAMAN.—If I have misunderstood him, I feel sorry, Sir. Anyway that is my impression. I feel that my memory is strong. If it is at fault now, I apologise to him. Therefore, I want you to consider the admissibility of the motion from a wider context. What is more, Sir, this is the first time that a matter of this kind has come before you. I must congratulate you. By that I do not mean anything. When I say that you are called upon to give a judgment, a decision, to award a ruling which will go down into the parliamentary history of our institutions; it is a high perspective I seek. This is the first time it has happened and we are out to forge a tradition, out to lay conventions in a case of this kind. After all in the case of admissibility of these matters, it is a generally accepted principle, where the feelings of the House, where the feelings of the country, where all these things are concerned, these should not be strained and should not be satisfied in order that the letter of the law should be satisfied. That may not be. With very great respect, without meaning to suggest anything to you, with very great supplication, I am suggesting that the way of looking into the letter of the law—if it is to be satisfied - will not always be good to our institutions and to the good development of conventions that we are now at. After all, it is for you to liberalise the interpretation of the provisions in such a manner as to serve the real interests of the country by subserving the grievance that is now brought before you. It is therefore from that standard that I am suggesting in all humility that you must interpret and see not the letter of the law. Even otherwise, I feel, in my humble opinion, my friend the Leader of the Opposition has made out a very good case in his own inimitable way to support the motion that it is admissible. With this addition, I agree with him and I request you to consider it from those liberal standards.

Mr. SPEAKER.— I cannot go beyond the Rules of Procedure however important it may be.

Sri K. PATTABHIRAMAN.—Sir, there are rulings where unless there is a specific prohibition, the provisions are interpreted not strictly on the letter of the law. After all there are two ways. I would be insulting your intelligence if I made this on the floor of the House. But I feel in my humble opinion that a clarification should be made. When interpreting rules,

there are two ways of doing it. Unless there is prohibition in such express terms, it is always the spirit by which a progressive Speaker has to go by. I wish you will be, Sir. I wish your interpretation will be such. Unless you are certain and definite that there is a specific prohibition to the contrary, I make a suggestion, I am sure it would be in perfect accord with the general rules in this matter if you liberally interpret it. After all the hearts and the minds that are now astir as a result of this situation—that is what should appeal to you even more than the written letter. After all words do not convey all that we mean. As a matter of fact, it is a general principle of psychology that when a word is put down, it really restricts thought current and thought process. It does not elongate it. That is a basic elementary principle of psychology. I leave the matter there. Therefore I request you to consider from that liberal and broad point of view and admit this motion. After all the world will not come to an end and the heavens will not fall if we discuss. The Leader of the Opposition has made out a very clear case and I endorse it fully. Our hearts may be spoken out and our apprehensions may be spoken out and we may go out of this session united completely, understanding one another in unison of thought, so that the unity of outlook and the unity of thought and the unity of approach that should necessarily inhere in the case of a Cabinet, which unfortunately this instance shows it lacks, may be again restored. That is the object. Therefore, with these words, I wholeheartedly support the motion and say that it is admissible and I request you to consider it from a liberal standard.

Sri K. S. VASAN (Kolar Gold Field).—While I agree with the Hon'ble member for Kolar, I request the Chair to consider one more aspect. It is a matter of public importance as it has been argued that it has led to a split in the Cabinet. But that may not stand if the Hon'ble the Chief Minister assures the House that in spite of all this, there is no split. We have only to see if the joint statement by the three Members was calculated to whip up an agitation against the recommendations of the States Reorganisation Commission regarding which neither the Cabinet nor this House has yet taken a decision. If it had already resulted in an agitation, then the Chair will have to hold the matter as one of public importance.

Mr. SPEAKER.—On behalf of the Government the Minister will reply.

Sri S. GOPALA GOWDA.—I would like to make a request, Sir, that the Leader of the House may kindly be directed to speak about the admissibility or otherwise of the adjournment motion.

Mr. SPEAKER.—I cannot direct any particular Minister to reply. On behalf of Government any Minister can reply.

Sri S. GOPALA GOWDA.—It is better that the Leader of the House also replies.

Sri Kadidal MANJAPPA.—Mr. Speaker, Sir, the Report of the States Reorganisation Commission has been published a few days ago. This Report deals with the most important and vital issues. Therefore, it deserves a most careful consideration by all people including the Ministers and Legislators. On this issue, there should be every opportunity to everyone of us to express our views in the democratic and peaceful manner. It is not the Mysore Government that can take a final decision on the proposals contained in the report of the Commission. It is the Parliament that can finally decide the issues. There is no constitutional obligation on the part of this Government to express their views on these proposals. It is no doubt true that the President will ascertain the views of the State Legislature on the question of the Reorganisation of States. On this question there is difference of opinion both in the Legislature and in the country. The Ministers are also holding different views. The State Legislature has not decided to express its views in one way or the other nor has it been consulted by the President as required by Article 3 of the Constitution. The State Cabinet has not

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taken a decision on the question whether it should express its opinion in one way or the other. As the final decision vests in the Parliament, individual Ministers are at liberty to express their views. Further, until a final decision is taken by the Cabinet whether to express its views or not, the individual opinion expressed by the Chief Minister and other Ministers on the recommendations of the States Reorganisation Commission are not intended to pledge the entire Cabinet. Therefore, there is no infringement of the principle of collective responsibility.

I must add that the questions relating to the States Reorganisation have been treated as open questions. There is as has always been homogeneity and support to the Leader in the Cabinet. Therefore the adjournment motion is inadmissible.

Sir, Sri Imam on the pretext of making out a case regarding the admissibility has said few other things. I am equally anxious that I should not enter into the merits of the stand that I or my friends have taken on this question of States Reorganisation. He has stated that I am flinging a dart. Sir, I must with all humility submit that when he was flinging the dart I never objected; I never found faults, and in spite of his darts I held him in high esteem and affection as before. I know his views formerly. We had occasions to discuss some years ago. Now he is telling us that I am flinging a dart.

Sri J. MOHAMED IMAM.—My previous views may be shown to this House if it is allowed.

Sri Kadidal MANJAPPA.—He has said that he was anxious to enhance the prestige of the House and to see that healthy conventions were built up. Sir, we are also equally anxious to build up healthy conventions and to enhance the prestige of this House.

Sir, I am not holding my present views regarding States Reorganisation for the first time. I was holding this view from the beginning. I have also expressed this view in some places. He has said that the Ministers should not be agitators. What is the agitation here, Sir? We have not started any agitation. Our beloved Prime Minister himself has said that it is our duty to express our views in the most constitutional and peaceful manner and in a democratic manner. We have given expression to our reaction on the States Reorganisation Commission Report. He has said that it was not complimentary. I have not done anything for which I should bend my head in disgrace. He has also observed that these Ministers are very anxious to have the cake and also eat it. In other words, his argument is that we want to retain our position in the Cabinet at any cost and also try to influence the country or to see that our point of view is gained. An old friend of mine, Sri Imam, knows me and my colleagues very well. He ought not to have made a statement. Neither myself nor my friends are clinging for office at any cost. And my friend Sri Gopala Gowda took up objection to our writing to the States Reorganisation Commission. I may bring to the notice of my friend that all over India the Ministers have expressed their personal opinions before the States Reorganisation Commission, even Chief Ministers of the States have expressed their personal opinions before the States Reorganisation Commission. It was the intention of the Government to constitute a Commission and have given opportunity, irrespective of their rank, to express their views. Even the Prime Minister has given evidence before the States Reorganisation Commission and even in other States where the Ministers who were holding divergent views have also expressed their views.

Sri L. SIDDAPPA.—From your conduct you have prevented your colleagues also from doing it.

Sri Kadidal MANJAPPA.—By my conduct or that of my friends I never prevented others from expressing their opinions.

Sri J. MOHAMED IMAM.—That is not correct, Sir. Because many of the members of the party were gagged by party mandate.

Sri Kadidal MANJAPPA.—My friend has quoted certain authority.

Sri S. SRINIVASA IYENGAR (T. Narasipur).—I rise to a point of order, Sir. Is this the stage for the concerned Minister to reply to the charges? Whether it is of public importance or not; whether it is of urgent nature—those are the issues which they have to reply. This is not the stage at which they should reply to every charge made by every speaker.

Mr. SPEAKER.—The Hon'ble Member may recollect some of the statements made by the Hon'ble the Leader of the Opposition while making out a case for admissibility. Therefore he has to reply to those points.

Sri Kadidal MANJAPPA.—Sir, he read out some extracts from the book by Herbert Morrison and from Ivor Jennings. I beg to submit that what he has read out applies to cases when a decision has been taken by the Cabinet. At page 60, it is said:

> "All Ministers, therefore, whether members of the Cabinet or not, share a collective responsibility, including that for Cabinet or Cabinet Committee decisions in the reaching of which they have taken no part whatever."

When a decision has been reached the ministers take the responsibility. Here in this case no decision has been reached. There are several instances in the several pages which are relied upon by my learned friend, where ministers are allowed right to vote and to express their views freely in respect of cabinet decisions.

Sri S. SRINIVASA IYENGAR.—On a point of information, Sir. Is it not a fact that the Cabinet had decided not to express any views about this?

Sri M. LINGANNA.—This is not a question hour.

Sri K. HANUMANTHAIYA (Chief Minister).—Sir, I will first speak in regard to the admissibility of this motion and next you will kindly permit me, Sir, to offer my personal explanation because the Leader of the Opposition and my friend Sri Pattabhiraman have emphasised on personal aspects as well as the political aspect of this question. I will not take much time.

Sir, in regard to the adjournment motion, there must be, what is called, urgency and then it must be of recent occurrence. Here these two elements are lacking. Just now, the House heard that Sri Kadidal Manjappa had previously spoken expressing his views. The views were the same as the views that are contained in the statement in question. He expressed his views, I understand, in Bhadravati and Mangalore nearly six or seven months back. Similarly, Sri A. G. Ramachandra Rao has spoken several times expressing his views in favour of two Karnatakas. Those speeches have appeared in the papers.

The third point Sir, Sri Imam knew and everybody knew and it appeared also in the Press that these three friends of mine in their individual capacity had written letters to the Fazl Ali Commission; that news also appeared in the press nearly a month back. If there was urgency, my Hon'ble friend should have sponsored this adjournment motion the very first day. Therefore, Sir, since this matter is before the public and through newspapers for the last one year and more, the subject-matter of the adjournment motion is deprived of urgency and the element of recent occurrence.

The second point, Sir, is this: I agree with the general principles enunciated by the Leader of the Opposition. I do not think that there can be any difference of opinion in this House in regard to enunciation and application of those general principles. It is only in regard to interpretation of those general principles that my Hon'ble friend has taken a different view. Sir, you are aware that this House discussed in the last session this very question in substance. It was in the form of discussion on the Report of the Fact Finding Committee. Then it was known to everybody that we the Government party gave, what is called, the freedom of opinion. Every member of the Government party irriespective of the party to which he belonged, expressed his individual views because the party had resolved

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that freedom of opinion should be allowed to members. The opportunity was then for the Leader of the Opposition to take this issue whether on such an important issue freedom of opinion could be allowed. You will therefore see, Sir, this question was teated as a question which deserves under the circumstances that exist in the State, freedom of opinion and freedom of vote. Everyone in the House is aware that freedom was exercised freely and unstintingly. Now to say that freedom of opinion constitutes breach of constitutional functions would be an approach which I am sure the Hon'ble Leader of the Opposition will concede, is not right. It is true, Sir, that the Cabinet has not taken a decision on this matter. It is true, Sir, that this House has not taken a decision in this matter. If decisions had been taken and if members either in this House or in the Cabinet expressed differing views, the question then would arise, whether they have violated any constitutional convention. The Hon'ble Leader of the Opposition himself read the sentence at page 268 of Jennings:

> "The agreement to differ necessarily involved a decision to allow Ministers to express different views, but the liberty thus accorded was exercised discreetly, so as not to threaten the stability of the Government. In normal conditions controversies between Ministers in the House of Commons—except when a free vote was allowed,—would be so obviously an infringement of the principle of collective responsibility that it is extremely unlikely that it would happen".

Therefore, Sir, freedom of opinion and vote has been allowed. In regard to this observation, Sir, that the liberty thus accorded to express views, was exercised discreetly so as not to threaten the stability of the Government has also been made clear by the statement of my Hon'ble friend Sri Manjappa. He has categorically stated that there is homogeneity of support to the Leader, as has always been the case in the Cabinet. That statement is there and I am sure, my Hon'ble friends Sri K. Pattabhiraman and the Leader of the Opposition, if they have in view what is called the stability in Government, they should be satisfied with that statement.

Sir, the Leader of the Opposition correctly observed that proper conventions ought to be established in a democratic set-up.

11 A.M.

That is the proper approach also with which every one agrees. A democracy functions in a live way and not in a repetitive way. A democracy which is alive evolves conventions and constitutional precedents that obtain in a country. It would be wrong and many a time harmful if they should merely become imitative gramophone records of other Parliaments and countries. No country in this world had to face this stupendous problem of reorganisation of States within the country. There was no such precedent in England; in fact, there cannot be any, being a very small country. For the first time in our history, this question of reorganisation of States has arisen. The very nature of the problem is such that throughout India differences of opinion are being expressed, which has cut across parties, Cabinets, communities and territories. When such is the case, it would be too much to expect any one Cabinet in India to have an unanimous opinion on this all important matter. On the other hand, things are so shaped in this matter that more service is being done to democracy than to technical conventions. Democracy requires expression of opinion. Democracy requires discussion. Democracy then demands that the decision that we arrive at after these processes, is taken in good spirit and implemented. Happily or unhappily we have not yet reached the last stage. I appeal to every one in this House to discuss, to express differences of opinion and ultimately bear in mind that if we are true to democracy we have to come to an understanding with happy results. My friend did not properly quote, naturally, because he had not the record before

him and I am now quoting. That was my intention. Sri P. R. Ramaiya asked: "I would like to know the reactions of the Government to the Report." I said: "Reactions are very calm, quiet and very happy." Can we not be quiet in spite of differences? Can we not be calm and discuss problems though there are differences of opinion? Can we not be happy in spite of divergent views? If differences of opinion completely root out quietness, calmness and happiness, then there is no future for democracy in this country. Even today I appeal to the House to take what I said in that spirit. It is not that I do not know the existence of differences of opinion. It is not that I am not aware of the strong feelings on the matter. When I say these things it is more the ideal and the heartfelt wish of us all that I express. If to-day it comes to a question, as is often said by the Leader of the House, if I have to go out, I go out with these words ringing from my heart and from my mouth; I would go out with the prayer to this House as well as to the country that we may resolve these differences with calmness, quietness and happiness. If I have not taken the extreme step of asking my colleagues to resign, it is not because that I want to tarry this Ministry somehow or anyhow. Far from it. Here is a question of reorganisation of the States. There is the consideration that a crore of people outside the State of Mysore are genuinely and earnestly anxious to join the Mysore State and become an administrative unit. We cannot treat the heartfelt desire of a crore of people with scant courtesy. They are our countrymen. I have often said that it is not the people of Mysore alone that constitute the people of India. The people outside the Mysore State are equally Indians. We must look at this question from that national and patriotic point of view. We cannot sit in this Assembly or remain in this State and feel and say that we are a law unto ourselves. On the other hand, there is this consideration. The people in the State—may be a majority of them, I do not enter into an issue on that subject—may be a majority of them desire equally, sincerely and anxiously that Mysore should remain as it is. Their motives cannot be misunderstood. Their approach should not be misinterpreted. The only anxiety in their mind, as I know, is the welfare of the people as they are. They are very anxious that the administrative amenities that are now at their disposal should not be curtailed. That is an honourable stand to take. When these two views are equally and sincerely and genuinely held, expressed and sponsored, wisdom consists in making both these points of view agree to a common course. What that common course is I am at present unable to say. If logically I follow the advice of the Leader of the Opposition to form a homogeneous Cabinet on this question, I will have to constitute a Cabinet which consists entirely of people who are advocates of a Karnataka State. When that happens it will generate such bitterness and such animosity that we have to say goodbye to the peace, contentment and happiness in the State. Suppose this Ministry goes out on this issue and another Ministry comes into existence purely on the question of 'Mysore remaining as it is', it will be equally dangerous. If for some reason, another Cabinet is formed which consists of members holding different views, it would be merely replacing the Ministry for the sake of replacement. Therefore, I am moving in this matter with utmost care, with utmost caution and with utmost sincerity and patriotism so that God may bless us all, that ultimately we may come to anunanimous decision, so that what I call, calmness, quietness and happiness may rule not only in the State but in the rest of India. I would appeal to the Leader of the Opposition now to see that this motion is technically inadmissible and politically unhelpful.

Mr. SPEAKER.—I have reserved the ruling. Now the House will rise for Lunch.

Sri K. PATTABHIRAMAN.—We can as well adjourn and meet on Monday.

Mr. SPEAKER.—There is one motion.

Sri K. PATTABHIRAMAN.—Very well.

Mr. SPEAKER.—The House will now rise for Lunch and meet again at 11-45.

The House adjourned for Lunch at Fifteen Minutes past Eleven of the Clock and met again at Forty-five Minutes past Eleven of the Clock.

[MR. SPEAKER in the Chair.]

OFFICIAL RESOLUTION.

Re: Adopting Estate Duty Act, 1953, to agricultural lands.

Sri K. HANUMANTHAIYA (Chief Minister).—I beg to move:

"Whereas in the interest of uniformity in the administration of the law and convenience in the levy and collection of Estate Duty on the agricultural land, it is desirable to adopt the Act to provide for the levy and collection of an Estate Duty passed by Parliament,

This House do resolve in pursuance of clause (1) of article 252 of the Constitution that the Estate Duty Act, 1953 (Central Act XXXIV of 1953) be adopted in respect of agricultural lands situated in the State of Mysore."

The main object of the Estate Duty Act is to impose an estate duty on property passing or deemed to pass on the death of a person. Though the levy and collection of income-tax at high rate since the war had prevented to some extent the further concentration of wealth in the hands of those who are already wealthy, yet it was felt that it did not amount to a positive step in the direction of reducing the existing inequalities in the distribution of wealth. The imposition of an estate duty would to a certain extent rectify such unequal distribution and it would also assist the States towards financing their various development schemes. The Planning Commission had also stressed the necessity of undertaking legislation to levy death duties.

The Government of India therefore undertook legislation to levy death duties and the Estate Duty Act, 1953 (Central Act XXXIV of 1953) has come into force with effect from 15th October 1953.

The Estate Duty Act is applicable to this State so far as property other than agricultural land is concerned. So far as it relates to duty on agricultural property it is not applicable for the reason that under the Constitution estate duty in respect of agricultural land is in the State List (item 48 of List II of the Seventh Schedule) and it is the State Legislature which has the power to legislate therefor.

Under article 252 of the Constitution the State Legislature can authorise the Central Government to undertake legislation on their behalf, by passing a resolution in that behalf. In the interest of the unanimity and uniformity in administration it is desirable to have one Central Law providing for the levy of estate duty both on agricultural and non-agricultural property. For this reason, the Government of India have requested that this Government agree to the adoption of the Central Act in respect of agricultural property. The resolution is for the purpose of adopting the Central Act in respect of agricultural property in the State. If this resolution is passed by both the Houses of Legislature, then a notification will be issued by the Government of India under sub-section (2) of Section 5 of the Estate Duty Act, 1953 adding the name of this State to the First Schedule.

In this connection it may be pointed out that the State will not be surrendering any of its financial resources to the Centre by passing this resolution. Under article 269 of the Constitution, even estate duty in respect of property other than agricultural land is assigned to the States though levied and collected by the Centre. The State will get the entire proceeds from the levy of estate duty on agricultural land even though the tax is levied and collected by the Central Government.

The rates of Estate Duty as specified in the II Schedule to the Act are: